

**CITY OF UNION CITY
COUNTY OF HUDSON, STATE OF NEW JERSEY**

ORDINANCE 2018-7

**ORDINANCE AMENDING CHAPTER 334, SECTION 2(B)(1), "APPLICABILITY;
EXCEPTIONS."**

WHEREAS, pursuant to N.J.S.A. 40:48-2, a municipality may amend ordinances not contrary to the laws of this State or of the United States, as it may deem necessary and proper for order and protection of persons and property, and for the preservation of the public health, safety and welfare of the municipality and its inhabitants; and

WHEREAS, the City of Union City (the "City") is a municipality as defined by Title 40 of the New Jersey Statutes; and

WHEREAS, the Board of Commissioners of the City does hereby declare that an emergency exists within the City with respect to rental housing space; and

WHEREAS, this emergency has been created by housing demolitions, deterioration of a substantial portion of the existing housing stock, insufficient new housing construction, increased cost of construction and finance, growing inflation and absence of a competitive housing market; and

WHEREAS, this has caused a substantial and increasing shortage of affordable rental housing accommodations for families of low and moderate income and abnormally high rents; and

WHEREAS, residents who are an integral part of the City are having difficulty finding housing that is affordable; and

WHEREAS, it is in the public interest to have a cross section of people residing in Union City across all socio-economic backgrounds; and

WHEREAS, the fear of being evicted without just cause and being forced to seek housing in such a market discourages the City's tenants from complaining about exorbitant increases in rent and about the continued deterioration of housing; and

WHEREAS, it is necessary to regulate, control, and stabilize rents under the police powers granted to the City and in order to protect the health, safety and welfare of the citizens of the City; and

WHEREAS, there will be an inevitable housing crisis that will inevitably lead to homelessness unless residential rents of tenants are regulated and controlled; and

WHEREAS, the City adopted the current iteration of its current Rent Control Ordinance on September 26, 2017 to combat the above-listed problems; and

WHEREAS, the City's current Rent Control Ordinance, Chapter 334, Section 2(B)(1), currently exempts units on premises with less than four units from its provisions; and

WHEREAS, the City has determined that the problems articulated above have not been adequately ameliorated, as residents of non-owner-occupied buildings of three units have been subjected to unconscionable increases in rent; and

WHEREAS, the City hereby reaffirms the necessity for rent control to provide affordable housing for all its residents and hereby amends the ordinance in accordance with this need; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the City of Union City, County of Hudson, State of New Jersey that the Code of the City of Union City is hereby amended and revised as follows:

SECTION ONE:

Chapter 334, Section 2(B)(1), "Applicability, exceptions," is hereby amended to read as follows:

B.

Exceptions. This chapter shall not apply to:

- (1) a. Units in buildings that are owner-occupied and contain one, two or three units;
and
- b. Units in buildings that are not owner-occupied and contain one or two units.

For clarification, see the below chart:

Units in Building	Owner-Occupied Building	Non-Owner-Occupied Building
1	This chapter does not apply	This chapter does not apply
2	This chapter does not apply	This chapter does not apply
3	This chapter does not apply	This chapter applies

SECTION TWO:

Severability. If any term or provision of this Ordinance is held to be illegal, invalid, or unenforceable by a court of competent jurisdiction, in whole or in part, such determination shall not affect the validity of the remaining terms and provisions of this Ordinance.

SECTION THREE:

Repealer. To the extent that any provision of the Code of the City of Union City is found to conflict with this Ordinance, in whole or in part, this Ordinance shall control.

SECTION FOUR:

In order to avoid accidental repeal of existing provisions, the City Clerk and the Corporation Counsel are hereby authorized to change any chapter numbers, article numbers and/or section numbers in the event that the codification of this Ordinance reveals that there is a conflict between those numbers and the existing Code.

SECTION FIVE:

This Ordinance shall take effect upon passage and publication as required by law.

Commissioners	Yea	Nay	Abstain/Present	Absent
Lucio P. Fernandez				X
Tilo E. Rivas	X			
Celin J. Valdivia	X			
Maryury A. Martinetti	X			
Mayor Brian P. Stack	X			

I HEREBY CERTIFY this to be a true and correct Ordinance of the City of Union City Board of Commissioners, adopted on February 27, 2018 and will be further considered after a Public Hearing held on March 13, 2018.

INTRODUCED: March 13, 2018

ADOPTED:

ATTEST:



Erin Knoedler
City Clerk

March 13, 2018
DATE